

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

PATRICK ROTH,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-19-903-G
)	
JOHN RICKETTS and)	
CITY OF OKLAHOMA CITY,)	
a municipal corporation,)	
)	
Defendants.)	

MOTION FOR ENTRY OF AGREED PROTECTIVE ORDER

Plaintiff Patrick Roth, by and through his attorneys, Solomon M. Radner and Eric D. Cotton; Defendant John Ricketts, by and through his attorneys, Ambre Gooch and Stacey Haws Felkner; and Defendant City of Oklahoma City, by and through counsel of record, Sherri R. Katz and Katie Goff, make application to this Court for a Protective Order pursuant to Fed.R.Civ.P. 26(c) to govern the production of confidential information in the course of this litigation. In support of their Motion, the parties state as follows:

1. The Parties request the Court enter an Order deeming the following information confidential:

A. Medical, psychological, or counseling records related to any party or employee of the Defendant City, and information contained in such records;

- B. Personnel records and information designated as confidential by the Open Records Act, 51 O.S. § 24.7(A), shall be maintained as confidential, but information open to public inspections under 51 O.S. §24.7(B) shall not be confidential;
- C. Social Security numbers and dates of birth of any parties;
- D. Unlisted home addresses or unlisted home or mobile telephone numbers and personal email addresses;
- E. All other information identified as confidential pursuant to Rule 5.2 of the Federal Rules of Civil Procedure;
- F. Any and all information or documents contained within the personnel files of Sgt. Ricketts and other City employees in the possession of the Defendant City of Oklahoma City, to include, but not limited to: disciplinary records, performance evaluations and/or complaints; and
- G. Any documents related to or contained within any investigation file(s) in the possession of the Defendant City of Oklahoma City.

By producing documents containing the above information, The City of Oklahoma City does not waive any privilege concerning these documents, or any other documents that Plaintiff may attempt to discover. Further, Defendants do not agree that these documents or any of them are admissible.

All parties consent that an Order be entered pursuant to Fed.R.Civ.P 26(c) that provides that none of the above documents shall be disclosed to any person, organization or entity except to the attorneys whom have entered an appearance in this case, their staff,

investigators and experts. Moreover, the Parties consent that they are prohibited from any and all disclosure, description, identification or dissemination of confidential documents and the information contained therein through, on or with the use of the internet, the world wide web or any other public form of disclosure. Further, the attorneys of record for the parties shall be responsible to insure that this Protective Order is honored and enforced. Further, if any of these documents are to be filed in this case, the document shall be filed in a sealed envelope to be opened as directed by the Court.

WHEREFORE, premises considered, all parties consent to the entry of a Protective Order, and Defendant City prays a Protective Order be entered as requested herein.

Respectfully Submitted,

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Municipal Counselor

/s/ Sherri R. Katz

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CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of March, 2020, I electronically transmitted the attached Defendants' Motion for Entry of Agreed Protective Order to the Clerk of the Court using the ECF filing system and transmittal of a Notice of Electronic Filing to the following ECF registrants: Eric Cotton and Solomon Radner, Attorneys for Plaintiff, and Ambre C. Gooch and Stacey Haws Felkner for Defendant Keith Patrick Sweeney.

/s/ Sherri R. Katz
Assistant Municipal Counselor